

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

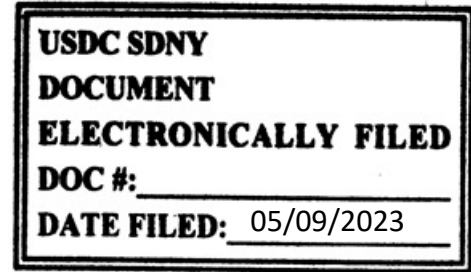
Glenn Johnson,

Plaintiff,

-against-

City of New York, et al.,

Defendants.



1:23-cv-03018 (PAE) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Plaintiff Glenn Johnson brings this action *pro se* alleging claims under 42 U.S.C. § 1983. On May 4, 2023, Plaintiff filed an Amended Complaint, in which he names John and Jane Doe defendants, as well as a police officer whose surname is Martinez. (Am. Compl., ECF No. 11, at 3.)

Under *Valentin v. Dinkins*, a *pro se* litigant is entitled to assistance from the district court in identifying a defendant. 121 F.3d 72, 76 (2d Cir. 1997). In the Amended Complaint, Plaintiff appears to supply sufficient information to permit the City of New York to identify the John and Jane Doe defendants and Officer Martinez, all of whom were involved in the November 2019 incident alleged in the Amended Complaint. It is therefore ORDERED that the City of New York, which is the attorney for and agent of the City of New York, shall ascertain the identities of John and Jane Doe and Officer Martinez, and the address where each defendant may be served.¹ The

¹ If the Doe defendant is a current or former City of New York employee or official, the New York City Law Department should note in the response to this Order that an electronic request for a waiver of service can be made under the e-service agreement for cases involving City of New York defendants, rather than by personal service at a City of New York facility. If the Doe defendant is not a current or former City of New York employee or official, but otherwise works or worked at a City of New York facility, the New York City Law Department must provide a residential address where the individual may be served.

New York City Law Department shall provide this information to Plaintiff and the Court by Friday, July 7, 2023.

By Monday, August 7, 2023, Plaintiff shall file a second amended complaint naming the John and Jane Doe defendants and Officer Martinez. The second amended complaint will replace, not supplement, his current pleading. Once Plaintiff has filed a second amended complaint, the Court will screen the second amended complaint and, if necessary, issue an order asking the newly named defendants to waive service or directing the Clerk of Court to complete the USM-285 forms with the addresses for the named John and Jane Doe defendants and Officer Martinez, and deliver all documents necessary to effect service to the U.S. Marshals Service.

Plaintiff also requests an extension of time to serve Defendants. (*See Am, Compl. at PDF p. 10.*) Plaintiff's request is GRANTED. To provide Plaintiff with sufficient time to serve the yet-to-be-served defendants, the Court extends Plaintiff's deadline to serve those defendants to Monday, November 6, 2023.

SO ORDERED.

Dated: New York, New York
May 9, 2023



STEWART D. AARON
United States Magistrate Judge